

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 8-11 and 13-24 are currently being prosecuted. Claims 8, 16 and 23 are independent. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Claim Amendments

Responsive to the claim rejections and objections in the outstanding Office Action, Applicant has amended the claims to more clearly state the claimed invention.

Claim 8 is further amended to include the limitations that “a flange formed on a top end of the side wall as a monolithic piece and extending toward a center of the rotating disk.” Support for this amendment can be found on page 6, line 33 to 10 page 7, line 10 of the originally-filed specification, which states the following:

“Fig. 3A illustrates an embodiment of the holder that is formed by mounting a bowl 32 onto a rotating disk 31. The mounting process can be accomplished by adhering, screwing, coupling, latching, or other fastening means known in the prior art. In order to prevent the fluid 33 from spilling out during rotating, an extended flange 35 may be formed on the top edge of the side wall of the bowl 32. Of course, an annular element 36 may also be used as shown in Fig. 4A to mount onto the rotating disk 31 to form the holder on the rotating disk 31 so as to contain the fluid 33 and the spheres 34. On the other hand, when the amount of the fluid 33 is not much, or the bowl 32 and the annular element 36 have a higher side wall, the extended flange may be dispensed as shown in Fig. 4B and Fig. 4C.”

Claim 24 is further amended to include the limitation that “a flange located on a top end of the side wall and extending toward a center of the color filter disk.” Support of this amendment can be found on page 6, line 33 to page 7, line 10 of the originally-filed specification, which states the following:

“Fig. 3A illustrates an embodiment of the holder that is formed by mounting a bowl 32 onto a rotating disk 31. The mounting process can be accomplished by adhering, screwing, coupling, latching, or other fastening means known in the prior art. In order to prevent the fluid 33 from spilling out during rotating, an extended flange 35 may be formed on the top edge

of the side wall of the bowl 32. Of course, an annular element 36 may also be used as shown in Fig. 4A to mount onto the rotating disk 31 to form the holder on the rotating disk 31 so as to contain the fluid 33 and the spheres 34. On the other hand, when the amount of the fluid 33 is not much, or the bowl 32 and the annular element 36 have a higher side wall, the extended flange may be dispensed as shown in Fig. 4B and Fig. 4C."

Accordingly, since all of the claim amendments have support in the original specification and no new matter is being entered, entry of the claim amendment is respectfully requested.

Rejection Under 35 U.S.C. § 102

Claim 24 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Hung (US 6,747,803). This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

A proper rejection of a claim under 35 U.S.C. §102(b) requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983).

Anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. *See e.g., In re Paulsen*, 30 F.3d 1475, 31 USPQ 2d 1671 (Fed. Cir. 1994); *In re Spada*, 911 F.2d 705, 15 USPQ 2d 1655 (Fed. Cir. 1990).

Claim 24

Independent claim 24, as currently amended, states:

24. A color wheel module, comprising:

a motor;

a color filter disk driven by the motor;

a holder disposed on the color filter disk and having a side wall extending away from the color filter disk, and **having a flange located on a top end of the side wall and extending toward a center of the color filter disk;** and

a curable fluid contained in the holder, wherein when the motor drives the color filter disk to rotate, the curable fluid will be cured after the motor and the color filter disk are balanced simultaneously.

(Emphasis added)

Applicant respectfully submits that the combination of elements as set forth in independent claim 24 is not disclosed or made obvious by the prior art of record, including Hung, for the reasons explained above. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections under 35 U.S.C. §103

Claims 8-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Han (US 6,731,588) in view of Hung. Further, claims 8-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hung in view of Goodrich et al. (US 3,696,688). These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

In order for a claim to be properly rejected under 35 U.S.C. §103, the teachings of the prior art reference must suggest all features of the claimed invention to one of ordinary skill in the art. See, e.g., *In re Dow Chemical*, 837 F.2d 469, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988); *In re Keller*, 642 F.2d 413, 208 U.S.P.Q. 871, 881 (C.C.P.A. 1981).

Rejection based on Han in view of Hung

Claim 8 and claims dependent from claim 8

Independent claim 8, states:

8. An anti-vibration apparatus applied in a rotating disk of an image display system for eliminating unbalance of the rotating disk, comprising:

a motor for providing rotation power;

a spindle housed in the motor and coupled with the rotating disk for transmitting the rotation power to drive the rotating disk;

a holder having a side wall extended away from the rotating disk, and having **a flange formed on a top end of the side wall as a monolithic piece and extending toward a center of the rotating disk;**

a curable fluid contained in the holder; and

a predetermined amount of spheres placed in the holder;

wherein when the motor drives the rotating disk to rotate, the fluid and the spheres filled within the holder of the rotating disk are naturally flowed to the periphery side of the holder under a vibration force and distributed in such a way to balance the rotating disk, and the fluid is then cured after the balance of the rotating disk is attained.

(Emphasis added)

Independent claim 8 is allowable for at least the reason that neither Han nor Hung disclose, teach, or suggest the features highlighted above in claim 8. More specifically, the Examiner's assertion that the top of 210, seen in Figs. 16 and 17 in Han's patent disclosure, is equivalent to the flange recited in claim 8 is improper since the top of 210 is covered by the cover member 260-1(260-2) without any flange formed on the sidewall as a monolithic piece. Hung also does not disclose the flange. Therefore, according to current patent law, since the teachings of Han and Hung do not disclose, teach, or suggest all the features of the claimed invention, the 103 rejection is properly overcome. Applicant respectfully requests prompt allowance of independent claim 8.

Dependent claims 9-11 and 13-15 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 8. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Rejection based on Hung in view of Goodrich

Claim 8 and claims dependent from claim 8

Independent claim 8, states:

8. An anti-vibration apparatus applied in a rotating disk of an image display system for eliminating unbalance of the rotating disk, comprising:

a motor for providing rotation power;

a spindle housed in the motor and coupled with the rotating disk for transmitting the rotation power to drive the rotating disk;

a holder having a side wall extended away from the rotating disk, and having a **flange formed on a top end of the side wall as a monolithic piece and extending toward a center of the rotating disk;**

a curable fluid contained in the holder; and

a predetermined amount of spheres placed in the holder;

wherein when the motor drives the rotating disk to rotate, the fluid and the spheres filled within the holder of the rotating disk are naturally flowed to the periphery side of the holder under a vibration force and distributed in such a way to balance the rotating disk, and the fluid is then cured after the balance of the rotating disk is attained.

(Emphasis added)

Independent claim 8 is allowable for at least the reason that neither Hung nor Goodrich disclose, teach, or suggest the features highlighted above in claim 8. Neither Hung nor Goodrich teach a flange as claimed. More specifically, neither Hung nor Goodrich teach the limitation that spheres are fixed by UV glue. Therefore, according to current patent law, since the teachings of Hung and Goodrich do not disclose, teach, or suggest all the features of the claimed invention, the 103 rejection is properly overcome. Applicant respectfully requests prompt allowance of independent claim 8.

Dependent claims 9-11 and 13-15 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 8. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Claim 16 and claims dependent from claim 16

Independent claim 16, as currently amended, states:

16. A color wheel module applied in an image display system for modulating the color of an incident light, comprising:

a motor for providing rotation power;

a disc-shaped color filter disk with a plurality of thin film color filters being driven to rotate by the motor for alternately modulating the color of the incident light;

a holder formed on the disc-shaped color filter disk and having a side wall extended away from the disc-shaped color filter disk;

a curable fluid contained in the holder; and

a plurality of spheres placed in the holder;

wherein when the motor drives the disc-shaped color filter disk to rotate, the fluid and the spheres filled within the holder of the color wheel naturally flow to the peripheral side of the holder under a vibration force and are distributed in such a way as to balance the disc-shaped color filter disk, and the fluid is then cured to fix the sphere after the motor and the color filter disk are balanced simultaneously.

(Emphasis added)

Independent claim 16 is allowable for at least the reason that neither Hung nor Goodrich disclose, teach, or suggest the features highlighted above in claim 16. More specifically, neither Hung nor Goodrich teach the limitation that spheres are fixed by UV glue. Therefore, according to current patent law, since the teachings of Hung and Goodrich do not disclose, teach, or suggest all the features of the claimed invention, the 103 rejection is properly overcome. Applicant respectfully requests prompt allowance of independent claim 16.

Dependent claims 17-22 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 8. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Claim 23

Independent claim 23, states:

23. A color wheel module, comprising:

a motor;
a color filter disk driven by the motor;
a holder disposed on the color filter disk and having a side wall extending away from the color filter disk; and

at least one sphere placed in the holder, wherein when the motor drives the color filter disk to rotate, the sphere will be fixed after the motor and the color filter disk are balanced simultaneously.

(Emphasis added)

Independent claim 23 is allowable for at least the reason that neither Hung nor Goodrich disclose, teach, or suggest the features highlighted above in claim 23. More specifically, Neither Hung nor Goodrich teach the limitation that spheres are fixed. Therefore, according to current patent law, since the teachings of Hung and Goodrich do not disclose, teach, or suggest all the features of the claimed invention, the 103 rejection is properly overcome. Applicant respectfully requests prompt allowance of independent claim 23.

In view of the above arguments, Applicant respectfully submits that claims 8-11 and 13-24 are not obvious over the prior art. Reconsideration and withdrawal of the Examiner's rejection under 35 U.S.C. § 103 in view of the above arguments are respectfully requested.

Conclusion

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 8-11 and 13-24 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Should there be any outstanding matters that need to be resolved in the present application; the Examiner is respectfully requested to contact Chris McDonald (Reg. No. 41,533) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/791,818
Amendment dated September 16, 2008
Reply to Office Action of June 16, 2008

Docket No.: 0941-0927P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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